Filed Single Bench (1) (4)

BEFORE THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WP- 531 /2005(SB)
(Service Matter)

PETITIONER : Gourishanker Patwa aged about 60 years S/o Late Shri R.B. Patwa R/o Baikunthpur, Mahavir Chowk, Po. & Distt- Raigarh (CG). Designation: Junior Accounts Officer (under supervision), Scheduled Tribe Development, Raigarh.

R.R. Presented by ... dated ...

VERSUS

RESPONDENTS :

01. State of Chhattisgarh, Through Secretary, Scheduled Tribe Development department, Mantralay, DKS Bhawan, Po. & Distt- Raipur (CG)

02. The Commissioner, Scheduled Tribe Development, State of Chhattisgarh, Raipur, Po. & Distt- Raipur (CG)

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03. Assistant Commissioner, Tribal Department, Raigarh

Petition under article 226/227 of the Constitution of India – For issuance of a writ of mandamus and certiorari and any other writ/direction/order.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP.531 ..... **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11-4-2005

On a mention being made, the case is taken up for hearing.

Mr. B.R. Ghosh, counsel for the petitioner.

Mr. Sandeep Dubey, Govt. Advocate for the State/respondents.

Heard both the counsel.

The petitioner has made a limited prayer in this writ petition that during the suspension period, he was sanctioned subsistence allowance, however, from the month of October, 2004, till 9-1-2005 he has not been paid subsistence allowance as vide order dated 10-1-2005 services of the petitioner have been terminated on account of his conviction under Sections 7, 13 (1) (d) & 13 (2) of the Prevention of Corruption Act, 1988, therefore, the subsistence allowance due to the petitioner from October, 2004 to 9-1-2005 may be released.

Learned counsel for the petitioner submits that the petitioner has not been paid subsistence allowance from October, 2004 till his termination, therefore, the petitioner may be allowed to make a representation to respondent No.2, to which learned Govt. Advocate for the State of Chhattisgarh has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a representation to respondent No.2 within a period of ten days from today and in turn, respondent No.2 is directed to decide the same with reasons for non-payment of subsistence allowance within two months from the date of receipt of the representation, in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Consequently, I.A.Nos.1109/2005 & 110/2005 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.Bhadoo
Judge